

To: Chris Miller[cmiller@ajw-inc.com]
From: Beauvais, Joel
Sent: Wed 4/8/2015 1:54:42 PM
Subject: RE: Touch base

Thx, Chris - I'll call your cel at 2:15 if that's ok

From: Chris Miller [mailto:cmiller@ajw-inc.com]
Sent: Wednesday, April 08, 2015 9:54 AM
To: Beauvais, Joel
Subject: Re: Touch base

Hi Joel - sure. Between 11:15-12:30, 215-245 or after 5pm?

Chris

2022578691 cell

On Apr 8, 2015, at 9:48 AM, Beauvais, Joel <Beauvais.Joel@epa.gov> wrote:

Hi, Chris – Is there a time we could chat for a few minutes by phone today or tomorrow?
Wanted to get your advice on something.

Joel

To: cmiller@ajw-inc.com[cmiller@ajw-inc.com]
From: Beauvais, Joel
Sent: Wed 4/8/2015 1:48:31 PM
Subject: Touch base

Hi, Chris – Is there a time we could chat for a few minutes by phone today or tomorrow?
Wanted to get your advice on something.

Joel

To: Larry Schafer[lschafer@biodiesel.org]
Cc: Anne Steckel[asteckel@biodiesel.org]; Poole, Jacqueline[Poole.Jacqueline@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]
From: Beauvais, Joel
Sent: Tue 4/7/2015 9:47:39 PM
Subject: RE: Catching up

Hi, Larry – Good to see you too. Happy to get together. Jackie or Robin can help find a time.

Joel

From: Larry Schafer [mailto:lschafer@biodiesel.org]
Sent: Wednesday, April 01, 2015 11:24 AM
To: Beauvais, Joel
Cc: Anne Steckel
Subject: Catching up

Joel,

It was good to see you the other day at Boss Shepherds ... it really is a nice addition to the neighborhood ...

Hope you are having a good week as the weather has finally warmed up a bit ...

Anne Steckel and I would like to catch up with you over coffee in the next week or two - to generally talk about the path forward on the RFS process – not a high pressure meeting just to talk about a few issues we think we can be helpful to you and your team on.

Any chance you might have 20 minutes this week or next?

Thank you.

Larry Schafer

National Biodiesel Board

O: 202.737.8801

M: 202.997.8072

LSchafer@Biodiesel.org

Biodiesel – America's Advanced Biofuel!

www.americasadvancedbiofuel.com

1331 Pennsylvania Ave. NW

Suite 505

Washington DC 20004

To: beth.viola@hklaw.com[beth.viola@hklaw.com]
Cc: Poole, Jacqueline[Poole.Jacqueline@epa.gov]
From: Beauvais, Joel
Sent: Mon 2/9/2015 5:50:32 PM
Subject: RE: WOTUS Meeting Request

Hi, Beth. Sure, happy to do it. Adding Jackie, who can help with scheduling. Jackie, let's calendar this as a general. Thx.

Joel

From: beth.viola@hklaw.com [mailto:beth.viola@hklaw.com]
Sent: Monday, February 09, 2015 12:48 PM
To: Beauvais, Joel
Subject: WOTUS Meeting Request

Hi Joel:

Hope this finds you well. Wanted to see if your schedule will allow for a meeting this week to talk about WOTUS with representatives from EEI.

I'd like to bring Rich Bozek from EEI and Pat Flowers from Xcel in to chat. Brent Fewell from Troutman Sanders would also join us.

Thanks much!

Beth

Beth Viola | Holland & Knight
Sr Policy Advisor
800 17th Street N.W., Suite 1100 | Washington DC 20006
Phone 202.457.7030 | Fax 202.955.5564
beth.viola@hklaw.com | www.hklaw.com

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To: Chris Miller[cmiller@ajw-inc.com]
From: Beauvais, Joel
Sent: Thur 1/29/2015 5:06:27 PM
Subject: Re: waste to energy

Hey Chris. Looks like Joe's got this. Hope all's well with you and that we cross paths some time soon.

Joel

On Jan 29, 2015, at 10:49 AM, Chris Miller <cmiller@ajw-inc.com> wrote:

Good morning – Would either of you gentlemen have 5-7 minutes this afternoon somewhere in the 4-6pm range to discuss waste to energy activity? want to ask one question and pass along some scuttlebutt.

I've got a ozone hearing testimony slot at 4:35pm in WJC East room 1153, so could drop by before or after.

thanks, Chris

p.s. adding Laura as the scuttlebutt may eventually involve her friends on the Hill.

Christopher Miller, Partner
AJW, Inc.
2200 Wilson Blvd., Suite 310
Arlington, VA 22201-3352
202-296-8086 x7 desk
202-257-8691 cell

To: Chris Miller[cmiller@ajw-inc.com]
Cc: Vaught, Laura[Vaught.Laura@epa.gov]
From: Beauvais, Joel
Sent: Sun 1/11/2015 4:59:13 AM
Subject: Re: Knees

Chris so sorry to hear it. [Ex. 6 - Personal Privacy] You should be able to find him through their website.

Joel

> On Jan 10, 2015, at 11:07 PM, Chris Miller <cmiller@ajw-inc.com> wrote:

>

> Thanks Laura.

>

> Hi Joel - would love your recommendation. [Ex. 6 - Personal Privacy]

[Ex. 6 - Personal Privacy]

>

> Chris

>

> 2022578691

>

>> On Jan 10, 2015, at 11:02 PM, Vaught, Laura <Vaught.Laura@epa.gov> wrote:

>>

>> Joel - putting you and Chris on same email to connect you. We were discussing [Ex. 6 - Personal Privacy] tonight and in answer to who might know good [Ex. 6 - Personal Privacy] doc, I thought of you.

>>

>> Sent from my iPhone

To: Anne Steckel[asteckel@biodiesel.org]
From: Beauvais, Joel
Sent: Tue 5/27/2014 1:04:50 PM
Subject: RE: Biodiesel volumes- RFS

Thanks, Anne – just getting back to the office and receiving this now. I will review and share with staff and will circle with you as appropriate.

Joel

From: Anne Steckel [mailto:asteckel@biodiesel.org]
Sent: Thursday, May 22, 2014 4:01 PM
To: Beauvais, Joel
Subject: Biodiesel volumes- RFS

Hi Joel,

I hope you are well.

We have been hearing some rumblings regarding the RFS numbers. Namely, the advanced number is in play to go up, but the biomassed-based diesel number is not.

A decision like that would be devastating to the biodiesel industry. It would create a situation that some 50 biodiesel plants would close, while the RFS is importing sugar cane ethanol, further pressing on the ethanol blend wall. Last year the US imported 458 million gallons of sugar cane ethanol and will likely do the same this year to comply with the LCFS in California.

I attached a one pager on this issue, as well as a letter we sent the President.

If you have a few minutes to further discuss this, I would be happy to elaborate.

In addition, we are meeting with your team on Tuesday to discuss the cost of carbon issue,

thanks for facilitating that meeting.

Thanks much,

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002

To: Anne Steckel[asteckel@biodiesel.org]
Cc: Paul Balserak (Balserak.Paul@epa.gov)[Balserak.Paul@epa.gov]; Nagelhout, Peter[Nagelhout.Peter@epa.gov]; Klemick, Heather[Klemick.Heather@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]
From: Beauvais, Joel
Sent: Fri 4/25/2014 9:17:14 PM
Subject: RE: Thank you and follow up

Sounds good, Anne. We appreciated the meeting as well. I am adding Peter and Paul, as well as Heather Klemick who is one of the economists in NCEE who handles biofuels issues. May I suggest that you coordinate with Paul on any follow up meeting on technical issues? I can participate or not as appropriate.

Joel

From: Anne Steckel [mailto:asteckel@biodiesel.org]
Sent: Friday, April 25, 2014 11:16 AM
To: Beauvais, Joel
Subject: Thank you and follow up

Joel,

Thanks for taking the time to meet with Larry and me. We appreciate the dialogue and would like to continue working to help you answer some of the questions you raised.

It would probably be useful if we brought David DeRamus (Bates White) and Marc Chupka (The Brattle Group) in to allow them to properly present their study on the cost of carbon reduction.

Separately, we are surveying our Membership on their actual cost of production for the past 2 years and will break out for you the "processing cost."

We will be contacting our economic team to see if we can get a better answer to your question on the interaction between biodiesel and sugar cane ethanol in 2014.

Finally, we would like to follow up with on the discussion relating to methodology, certainty and predictability of the Biomass-based Diesel program.

Is there a time next week, when we can bring in our cost of carbon team?

Thank you.

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002

Cc: Poole, Jacqueline[Poole.Jacqueline@epa.gov]
To: Anne Steckel[asteckel@biodiesel.org]
From: Beauvais, Joel
Sent: Wed 4/16/2014 2:49:58 AM
Subject: RE: Biodiesel meeting request

Hi, Anne - I'd be happy to get together. I'm out for the next few days, but adding Jackie, who can schedule something for next week.

Joel

From: Anne Steckel <asteckel@biodiesel.org>
Sent: Monday, April 14, 2014 5:07 PM
To: Beauvais, Joel
Subject: Biodiesel meeting request

Hi Joel,

I hope all is well with you.

I was wondering if you had some availability to meet regarding biodiesel issues. Larry Schafer and I were wondering if we could update you on some additional studies and data that we have shared with others at EPA.

Do you have any availability later this week or next?

Thanks,

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002

To: Michael J. McAdams[michael.mcadams@hklaw.com]
Cc: Simon, Karl[Simon.Karl@epa.gov]
From: Beauvais, Joel
Sent: Tue 9/10/2013 12:13:03 PM
Subject: Re: intermediate feedstock.

Thanks, Mike. Karl and his team will reach out and if we need to all connect jointly after that, I'm happy to set something up.

Joel

From: Michael.McAdams@hklaw.com <Michael.McAdams@hklaw.com>
Sent: Monday, September 09, 2013 5:10:45 PM
To: Beauvais, Joel
Cc: Simon, Karl
Subject: RE: intermediate feedstock.

Joel: Thanks for getting back to me. Would very much like to have a conversation about how we treat these intermediate feedstocks made from renewable feedstocks and how they are treated when they are upgraded by a second facility. Karl, happy to talk to you as well. I suspect I have several member companies who may be adversely impacted from the conversations I have held with several downtown lawyers. Thanks.

Michael McAdams | Holland & Knight

President, ABFA
Sr Policy Advisor
800 17th Street, NW Suite 1100 | Washington DC 20006
Phone 202.469.5140 | Fax 202.955.5564
michael.mcadams@hklaw.com | www.hklaw.com

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From: Beauvais, Joel [mailto:Beauvais.Joel@epa.gov]
Sent: Monday, September 09, 2013 5:08 PM
To: McAdams, Michael J (WAS - X75140)
Cc: Simon, Karl
Subject: RE: intermediate feedstock.

Happy to chat, but of course I'm not the technical substance guy on this, so would it make sense for you to connect with Karl and company on this directly? Or if it makes sense to have me in the loop, we could try to set up a call with both of us?

Joel

From: Michael.McAdams@hklaw.com [mailto:Michael.McAdams@hklaw.com]
Sent: Monday, September 09, 2013 4:39 PM
To: Beauvais, Joel
Subject: intermediate feedstock.

Joel: I was speaking with Dan Utech the other day about some concerns surrounding intermediate feedstock from things like algae and pyrolysis and he said you were the man to discuss some of these issue with. Is there a time we could discuss by phone, Thank you.

Michael McAdams | Holland & Knight

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To: Michael.McAdams@hklaw.com[Michael.McAdams@hklaw.com]
Cc: Simon, Karl[Simon.Karl@epa.gov]
From: Beauvais, Joel
Sent: Mon 9/9/2013 9:07:38 PM
Subject: RE: intermediate feedstock.

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Joel

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Sent: Monday, September 09, 2013 4:39 PM
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To: John Jimison[jjimison@energyfuturecoalition.org]
From: Beauvais, Joel
Sent: Wed 6/5/2013 6:44:05 PM
Subject: got your vm

Hi, John - I just got back from a week in China, and am still digging out, so wasn't able to do lunch today. But happy to get together whenever if you want to schedule something. Just let me know.

Joel

To: Matthew Carr[mcarr@bio.org]; Argyropoulos, Paul[Argyropoulos.Paul@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Brent Erickson[berickson@bio.org]; Erick Lutt[elutt@bio.org]
From: Beauvais, Joel
Sent: Mon 4/15/2013 5:36:29 PM
Subject: RE: Meeeting follow-up and comments

Thanks for passing these along, Matt

Joel

From: Matthew Carr [mailto:mcarr@bio.org]
Sent: Tuesday, April 09, 2013 12:19 PM
To: Beauvais, Joel; Argyropoulos, Paul; Grundler, Christopher
Cc: Brent Erickson; Erick Lutt
Subject: Meeeting follow-up and comments

Joel, Paul, Chris and Team,

Thank you again for including BIO in last week's discussion on the RFS. We remain indebted to the agency for its strong commitment to the program and its thoughtful implementation. Am attaching for your reference BIO's comments developed in consultation with our members and submitted Friday on the proposed 2013 RFS rule. Please don't hesitate to contact us if you have any questions.

Best regards,

-Matt

Matt Carr

Managing Director, Industrial & Environmental Section

Biotechnology Industry Organization

1201 Maryland Ave, SW, Suite 900

Washington, DC, 20024

(202)962-9214 / mcarr@bio.org



World Congress on Industrial Biotechnology

June 16-19, 2013 • Montréal, Canada

bio.org/worldcongress



ED_000313_O365_00000724

To: John Jimison[JJimison@energyfuturecoalition.org]
From: Beauvais, Joel
Sent: Tue 3/12/2013 9:07:30 PM
Subject: RE: Any time this week

Hi, John – Great to hear from you. Apologies for the delay in responding – it's been hectic. Today's gone and I can't do tomorrow. Thursday or Friday might be possible if either would work for you. Or we could look at next week?

From: John Jimison [mailto:JJimison@energyfuturecoalition.org]
Sent: Monday, March 11, 2013 10:23 AM
To: Beauvais, Joel
Subject: Any time this week

Joel,

I'd love to get together and catch up with you. We are all totally revved by Gina's nomination. Any chance we could grab lunch tomorrow or Wednesday?

John W. Jimison

Managing Director

Energy Future Coalition

1615 M Street, N.W., Suite 700

Washington, D.C. 20036

202-778-3541

Fax 202-650-5350

To: jjimison@energyfuturecoalition.org[jjimison@energyfuturecoalition.org]
From: Beauvais, Joel
Sent: Mon 1/28/2013 3:33:29 PM
Subject: Fw: EFC and aromatics

John - Hoping this is now going to your work email; use of the gmail account was unintentional. Thanks for sending this along - very helpful. Why don't we try to find a time to get together for lunch or coffee on a week when you're not so busy - I'd love to catch up. Just let me know what might be good for you.

Best,
Joel

----- Forwarded by Joel Beauvais/DC/USEPA/US on 01/28/2013 10:29 AM -----

From: John Jimison [Ex. 6 - Personal Privacy]
To: Joel Beauvais/DC/USEPA/US@EPA
Date: 01/27/2013 12:01 AM
Subject: Re: EFC and aromatics

Joel,

Good thing I checked my gmail account tonight. I'm seldom on it any more. I'd love to get together and discuss our concerns with aromatics. I've attached an annotated outline prepared by one of the more scientifically literate people I've huddled with on this. The more I see of the science, the more I am concerned that we have one of the great air-pollution-related public health threats growing literally under our noses. We got the lead out of gasoline, a major health advance. Unfortunately, the aromatics that replaced the lead may constitute an equal health menace. That concern has not seemed to get any traction chez vous at EPA. I suspect it's because ethanol is touted as one of the potential solutions, and I know people there who have problems with ethanol. But there are other alternatives as well, such as natural gas. The increase in CAFE standards is another huge advance from an energy point of view. Unfortunately, the high compression engines it will require need more octane, and probably generate more ultra-fine particles -- the most dangerous ones -- if their fuel contains more aromatics.

I've got a very busy week coming up, including the EFC meeting, and don't have a lot of windows to get together, but I'm happy to try on Monday morning to find one. Call me at 202-778-3541.

I hope you and the family are well and had wonderful holidays.

John

On Fri, Jan 25, 2013 at 2:46 PM, <Beauvais.Joel@epamail.epa.gov> wrote:

Hi, John - Long time no talk to. Would love to reconnect for lunch or coffee if you have a chance at some point.

I'm writing because Gina McCarthy is going to be speaking at the upcoming

EFC steering committee mtg. I may be mistaken, but I think I noticed that you're going to be talking on aromatics at the same meeting (?). If so, I just wanted to see if you might be able to provide any preview on what you might be teeing up.

Hope this finds you well and that we can connect some time soon.

Best,
Joel

Joel Beauvais
Associate Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
(202) 564-1684

(Attachment "Letter of Appreciation" from "EPA" dated 11/11/2011 by Joel Beauvais (JOEL.BEAUVAIS@EPA.GOV))

To: Beauvais, Joel[Beauvais.Joel@epa.gov]
From: Chris Miller
Sent: Wed 4/8/2015 1:58:25 PM
Subject: Re: Touch base

Talk to you then

Sent from my iPad

On Apr 8, 2015, at 9:54 AM, Beauvais, Joel <Beauvais.Joel@epa.gov> wrote:

Thx, Chris - I'll call your cel at 2:15 if that's ok

From: Chris Miller [<mailto:cmiller@ajw-inc.com>]
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To: Beauvais, Joel
Subject: Re: Touch base

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Chris

2022578691 cell

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Wanted to get your advice on something.

Joel

From: Larry Schafer
Location: 3500 WJCN
Importance: Normal
Subject: Accepted: Meeting with Larry Schafer
Start Date/Time: Mon 4/13/2015 6:30:00 PM
End Date/Time: Mon 4/13/2015 7:00:00 PM

;

From: Anne Steckel
Location: 1200 Pennsylvania Ave., NW - Washington, DC
Importance: Normal
Subject: Accepted: Biodiesel meeting with Ann Steckel
Start Date/Time: Thur 4/24/2014 3:30:00 PM
End Date/Time: Thur 4/24/2014 4:00:00 PM

;

To: Beauvais, Joel[Beauvais.Joel@epa.gov]
From: Chris Miller
Sent: Thur 1/29/2015 6:32:06 PM
Subject: Re: waste to energy

Thanks. Look forward to it. In the meantime, good luck with getting everything through in good form before 1/19/17!

Sent from my iPad

On Jan 29, 2015, at 12:06 PM, Beauvais, Joel <Beauvais.Joel@epa.gov> wrote:

Hey Chris. Looks like Joe's got this. Hope all's well with you and that we cross paths some time soon.

Joel

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thanks, Chris

p.s. adding Laura as the scuttlebutt may eventually involve her friends on the Hill.

Christopher Miller, Partner
AJW, Inc.
2200 Wilson Blvd., Suite 310
Arlington, VA 22201-3352
202-296-8086 x7 desk
202-257-8691 cell

To: Beauvais, Joel[Beauvais.Joel@epa.gov]
From: Anne Steckel
Sent: Thur 5/22/2014 8:00:46 PM
Subject: Biodiesel volumes- RFS
[Final - Joe Jobe 2014RVO Letter to President.pdf](#)
[Final-Biodiesel Increase vs. Advanced Memo.pdf](#)

Hi Joel,

I hope you are well.

We have been hearing some rumblings regarding the RFS numbers. Namely, the advanced number is in play to go up, but the biomassed-based diesel number is not.

A decision like that would be devastating to the biodiesel industry. It would create a situation that some 50 biodiesel plants would close, while the RFS is importing sugar cane ethanol, further pressing on the ethanol blend wall. Last year the US imported 458 million gallons of sugar cane ethanol and will likely do the same this year to comply with the LCFS in California.

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In addition, we are meeting with your team on Tuesday to discuss the cost of carbon issue, thanks for facilitating that meeting.

Thanks much,

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002



National Biodiesel Board 605 Clark Ave. PO Box 104898 Jefferson City, MO 65110-4898 (800) 841-5849 phone (573) 635-7913 fax	National Biodiesel Board 1331 Pennsylvania Ave., NW Suite 505 Washington, DC 20004 (202) 737-8801 phone nbb.org biodiesel.org
---	---

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

May 21, 2014

Dear President Obama:

I am writing as the national representative for the biodiesel industry to convey my urgent concerns about the pending volume proposal for biodiesel (Biomass-based Diesel) under the Renewable Fuel Standard (RFS).

It appears that the 2014 RFS Final Rule may be sent to OMB later this week, and we have received indications suggesting that the EPA and the Obama Administration are considering leaving the Biomass-based Diesel program at 1.28 billion gallons while perhaps adopting a small increase in the initial proposal for the overall Advanced Biofuels standard. **You need to know that this decision would have lasting, damaging consequences for the jobs and economic activity supported by the U.S. biodiesel industry, while undermining your efforts to boost U.S. energy security through clean, domestic energy production.**

To be clear, such a decision would serve only to encourage large volumes of imported biofuels from overseas, while crippling the U.S. biodiesel market. According to a survey we conducted of our membership, the proposal alone has already affected the biodiesel market in such a way that at least half of the nation's biodiesel plants have had to stop producing and lay off workers. To finalize a rule that would hold the volume at 1.28 billion gallons would further this damage to the biodiesel industry, while drawing in hundreds of millions of gallons of imported biofuels. Aside from sending American jobs overseas, this would undermine the fundamental goals of the RFS of boosting U.S. energy security while creating new domestic energy production. It was never the intent of Congress, nor, I'm confident, of your Administration, that the RFS would serve to stimulate additional imports of foreign fuels. In fact, one of the primary goals of the RFS was to lessen our dependence on imported fuels and diversify the domestic energy supply, including in the diesel fuel pool.

I remember vividly your leadership as a Senator in introducing the American Fuels Act of 2006, which was the initial policy proposal that ultimately became the RFS-2. It proposed adding a renewable requirement to the diesel fuel pool which the original RFS did not have. It proposed requiring 2 billion gallons of Biomass-based Diesel by 2015. The biodiesel industry nearly achieved that level of production in 2013, making the Advanced Biofuel category of the RFS a huge success story. However, the EPA's proposal would undercut that success. In writing the RFS, Congress envisioned a steady increase of renewable components in both the gasoline and diesel fuel pools, unless industry is incapable of producing the biofuels (at which time EPA would then invoke the waiver authority). While most domestically produced advanced biofuels have struggled to meet their RFS requirements, the biodiesel industry has surpassed the RFS requirements.

Therefore, we are extremely perplexed as to why the Administration would seek to undermine the only EPA-approved advanced biofuel that has reached commercial production nationwide.

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Should EPA fail to raise the biodiesel volume *and* increase the Advanced Biofuels program in 2014, we would see a significant retreat in biodiesel production from 2013. In addition, given current markets, it would lead to Brazilian imports of sugar cane ethanol. The consequences of this policy would be the closing of at least 50 biodiesel plants. A recent survey of U.S. biodiesel producers found that more than half (57 percent) of US biodiesel producers have stopped producing altogether since the proposed rule came out and 78 percent have reduced production.

Mr. President, the implementation of this policy in this manner is fundamentally inconsistent with Congressional intent, contrary to the goals of this Administration, and does not appear to serve your priorities. After all, until this year, you have consistently stated your strong support of domestically produced biodiesel.

Regrettably, I am confident that if finalized, this EPA proposal will increase the use of carbon-based fuels, reverse the trend of using more climate-friendly, clean-burning fuels, and ultimately jeopardize the legacy of this Administration.

This is bad policy. It is bad for the Administration, it's bad for producers, it's bad for investors, it's bad for the environment, and it's particularly bad for those of us who took cues from Congress and your Administration and made the commitments to build a U.S. renewable fuels future. We urge you to stand behind your consistent support for renewable fuels by approving a modest increase in both the biodiesel and overall Advanced Biofuel categories that have thus far proven successful under your stewardship of the RFS.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Jobe". The signature is fluid and cursive, with the first name "Joe" being more prominent than the last name "Jobe".

Joe Jobe

CEO, National Biodiesel Board

CC: EPA Administrator Gina McCarthy

USDA Secretary Tom Vilsack

OMB Director Sylvia Burwell



National Biodiesel Board
605 Clark Ave.
PO Box 104898
Jefferson City, MO 65110-4898
(800) 841-5849 phone
(573) 635-7913 fax

National Biodiesel Board
1331 Pennsylvania Ave., NW
Washington, DC 20004
(202) 737-8801 phone
www.biodiesel.org

RFS Issue Brief: Consequences of Raising Advanced Biofuels Standards Without Also Raising Biomass-Based Diesel Standards

The purpose of this memo is to explain the damaging consequences from a decision by the Obama Administration to increase the overall Advanced Biofuel requirement under the Renewable Fuel Standard (RFS) without also increasing the Biomass-based Diesel (biodiesel) requirement.

To be clear, such a decision would serve only to encourage large volumes of imported biofuels from overseas, while crippling the U.S. biodiesel market. It would create a situation under which dozens of U.S. biodiesel plants are closing their doors in the coming months while the RFS is simultaneously drawing in hundreds of millions of gallons of imported biofuels. Aside from sending American jobs overseas, this would undermine the fundamental goals of the RFS of boosting U.S. energy security while creating new domestic energy production. It was never the intent of Congress that the RFS would serve to stimulate additional imports of foreign fuels. In fact, one of the primary goals of the RFS was to lessen our dependence on imported fuels.

Specifically, under an RFS program that leaves the 2014 biodiesel volume stagnant at 1.28 billion gallons:

- We estimate that some 50 biodiesel plants would close their doors, with nearly 8,000 jobs threatened.
- Already – simply after the EPA *proposed* to cut biodiesel to 1.28 billion gallons – a recent survey of U.S. biodiesel producers found that more than half (57 percent) of US biodiesel producers have stopped producing altogether and 78 percent have reduced production this year.
- Finalizing a proposal with no increase for biodiesel volumes would without question lead to the permanent closure of many of those U.S. businesses.

Additionally, under an RFS program that leaves the 2014 biodiesel volume stagnant at 1.28 billion gallons while establishing an overall Advanced standard of 2.75 billion gallons:

- Volumes could be filled with either biodiesel, sugarcane ethanol, cellulosic ethanol or some other advanced biofuels. However, we estimate that sugarcane ethanol would be the primary source, with approximately 500 million gallons entering the U.S. as blenders seek out less expensive gasoline-based alternatives instead of addressing the diesel market.
- We know this because blenders have historically turned to ethanol imports under the right RFS conditions. Ethanol imports have grown steadily in recent years and topped 400 million gallons in five of the last eight years.
- Sugarcane ethanol contributes to the ethanol “blendwall” just as corn ethanol does, so increasing volumes of sugarcane ethanol would exacerbate “blendwall” concerns.
- More than 1 billion gallons of ethanol is used in California each year; the combination of the Low Carbon Fuel Standard and the proposed RFS would encourage more sugarcane ethanol.



National Biodiesel Board
605 Clark Ave.
PO Box 104898
Jefferson City, MO 65110-4898
(800) 841-5849 *phone*
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- While biodiesel's cost of production is falling as production increases, it currently remains more expensive than sugarcane ethanol for a variety of reasons, including that it is produced using higher U.S. labor costs and replaces higher-cost diesel fuel. Additionally, Brazil has approved a variety of incentives supporting sugarcane ethanol.

In adopting the RFS, Congress envisioned a program under which both the Advanced and biodiesel volumes grow at sustainable rates to address not just the gasoline market but also the diesel market, which the EPA has consistently cited as one of the most polluting U.S. transportation sectors. In recent years, this Administration has successfully carried out that charge, growing Advanced and biodiesel volumes annually at a modest, sustainable pace without adverse consequences in the marketplace. This has helped create a growing, maturing U.S. biodiesel industry that is creating jobs and economic activity, strengthening U.S. energy security, and reducing harmful emissions, including greenhouse gas emissions 57 percent to 86 percent according to EPA calculations.

The biodiesel industry has met and exceeded all expectations under the RFS. Reversing course on this progress is inconsistent with both Congress' objectives and this Administration's energy goals.

To: Beauvais, Joel[Beauvais.Joel@epa.gov]
Cc: Balserak, Paul[Balserak.Paul@epa.gov]; Nagelhout, Peter[Nagelhout.Peter@epa.gov]; Klemick, Heather[Klemick.Heather@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]
From: Anne Steckel
Sent: Tue 4/29/2014 9:10:32 PM
Subject: RE: Thank you and follow up

Joel, thank you for the email.

Peter, Paul and Heather, do you have some availability on Tuesday, May 6th to meet regarding the biodiesel cost of carbon study?

Thanks,

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002

From: Beauvais, Joel [mailto:Beauvais.Joel@epa.gov]
Sent: Friday, April 25, 2014 5:17 PM
To: Anne Steckel
Cc: Balserak, Paul; Nagelhout, Peter; Klemick, Heather; Kime, Robin

Subject: RE: Thank you and follow up

Sounds good, Anne. We appreciated the meeting as well. I am adding Peter and Paul, as well as Heather Klemick who is one of the economists in NCEE who handles biofuels issues. May I suggest that you coordinate with Paul on any follow up meeting on technical issues? I can participate or not as appropriate.

Joel

From: Anne Steckel [<mailto:asteckel@biodiesel.org>]

Sent: Friday, April 25, 2014 11:16 AM

To: Beauvais, Joel

Subject: Thank you and follow up

Joel,

Thanks for taking the time to meet with Larry and me. We appreciate the dialogue and would like to continue working to help you answer some of the questions you raised.

It would probably be useful if we brought David DeRamus (Bates White) and Marc Chupka (The Brattle Group) in to allow them to properly present their study on the cost of carbon reduction.

Separately, we are surveying our Membership on their actual cost of production for the past 2 years and will break out for you the "processing cost."

We will be contacting our economic team to see if we can get a better answer to your question on the interaction between biodiesel and sugar cane ethanol in 2014.

Finally, we would like to follow up with on the discussion relating to methodology, certainty and predictability of the Biomass-based Diesel program.

Is there a time next week, when we can bring in our cost of carbon team?

Thank you.

Anne

Anne Steckel

Vice President, Federal Affairs

National Biodiesel Board

1331 Pennsylvania Ave. NW #505

Washington, DC 20004

O: 202.737.8801

C: 202.422.4002

To: Beauvais, Joel[Beauvais.Joel@epa.gov]
From: Anne Steckel
Sent: Fri 4/25/2014 3:16:20 PM
Subject: Thank you and follow up

Joel,

Thanks for taking the time to meet with Larry and me. We appreciate the dialogue and would like to continue working to help you answer some of the questions you raised.

It would probably be useful if we brought David DeRamus (Bates White) and Marc Chupka (The Brattle Group) in to allow them to properly present their study on the cost of carbon reduction.

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C: 202.422.4002